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28 FEB 2006

Attorney Docket No. P28507

In re application of: Takashi KATO

Application No. : 10/549,629

**Mail Stop Amendment**

Group Art Unit : 2817

I.A. Filed : March 22, 2004

Examiner : Not Known

For : ORTHOGONAL MODULATION DEVICE, METHOD, PROGRAM, RECORDING MEDIUM, AND MODULATION DEVICE

**Mail Stop Amendment**

Commissioner for Patents

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop Amendment

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Sir:

Transmitted herewith is a **Supplemental Preliminary Amendment** in the above-captioned application.

Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

An Information Disclosure Statement, PTO Form 1449, and references cited.

A Request for Extension of Time.

No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 33	*20	13	x25=	\$	x 50=	\$ 650.00
Indep. Claims: 9	**5	4	x100=	\$	x200=	\$ 800.00
Multiple Dependent Claims Presented			+180=	\$	+360=	\$ 0.00
Extension Fees for <u>  </u> Month(s)				\$		\$ 0.00
* If less than 20, write 20			Total:	\$	Total:	\$1450.00
** If less than 3, write 3						

 Please charge my Deposit Account No. 19-0089 in the amount of \$\_\_\_\_\_. A check in the amount of \$1,450.00 to cover the filing fee is included. The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089. Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

Res. No. 40-063

03/03/2006 ATRM1 00000072 10549829

01 FC:1615  
02 FC:1614650.00 0P  
300.00 0PBruce H. Bernstein  
Reg. No. 29,027

P28507.A03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Takashi KATO Group Art Unit: 2817  
Appl. No. : 10/549,629 Examiner: Not Yet Assigned  
I.A. Filed : March 22, 2004 Confirmation No.: 6063  
For : ORTHOGONAL MODULATION DEVICE, METHOD, PROGRAM, RECORDING MEDIUM, AND MODULATION DEVICE

**SUPPLEMENTAL PRELIMINARY AMENDMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop AMENDMENT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Prior to an examination of the above-identified patent application, the Examiner is respectfully requested to amend the claims, as follows:

**Amendments to the Claims** begin on page 2 of this Preliminary Amendment.

**Remarks** begin on page 11 of this Preliminary Amendment.